United Nations A/C.4/64/L.8

General Assembly

Distr.: Limited
19 October 2009

Original: English

Sixty-fourth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 29
Effects of atomic radiation

Albania, Australia, Austria, Belarus, Belgium, Canada, China, Finland, France, Germany, Greece, Japan, Kazakhstan, Malaysia, Marshall Islands, Mexico, Monaco, Poland, Russian Federation, Singapore, Slovakia, Spain, Sweden, Switzerland, Thailand, Togo, Ukraine and United Kingdom of Great Britain and Northern Ireland: draft resolution

Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 63/89 of 5 December 2008, in which, inter alia, it requested the Scientific Committee to continue its work,

Taking note with appreciation of the work of the Scientific Committee, and noting the letter from its Chairman to the President of the General Assembly,[1]

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which mankind and the environment are exposed,

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on mankind and the environment, and conscious also of the increased volume, complexity and diversity of that information,

Noting the views expressed by Member States at its sixty-fourth session with regard to the work of the Scientific Committee,

[1] A/64/223.

09-56720 (E) 211009

Please recycle

Emphasizing the vital need for sustainable, appropriate and predictable resourcing, as well as efficient management, of the Secretariat's work to arrange the annual sessions and coordinate the development of documents based on scientific reviews from Member States of the sources of ionizing radiation and its effects on human health and the environment,

Recalling the deep concern of the Scientific Committee expressed in the reports on its fifty-fifth and fifty-sixth sessions that reliance on a single post at the Professional level in its secretariat had left the Committee seriously vulnerable and had hampered the efficient implementation of its approved programme of work,[2]

Recalling the comprehensive report of the Secretary-General[3] on the financial and administrative implications of increased membership of the Committee, staffing of its professional secretariat and methods to ensure sufficient, assured and predictable funding,

Recalling also its request to the Secretary-General, in formulating his proposed programme budget for the biennium 2010-2011, to consider all options, including the possibility of internal reallocation, to provide the Scientific Committee with the resources outlined in paragraphs 48 to 50 of the report of the Secretary-General,[4]

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past fifty-four years, since its inception, to wider knowledge and understanding of the levels, effects and risks of ionizing radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Reaffirms* the decision to maintain the present functions and independent role of the Scientific Committee;

3. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources;

4. *Endorses* the intentions and plans, including those outlined in the Chairman's letter to the President of the General Assembly,[1] for conducting the present programme of work of scientific review and assessment of the Scientific Committee on behalf of the General Assembly, encourages the Committee at its earliest convenience to submit the related reports, including assessments of levels of radiation from energy production and the effects on human health and the environment, and on the attribution of health effects due to radiation exposure),[5] and to initiate, as far as possible, work on the remaining previously endorsed topics, and requests the Committee to submit plans for its future programme of work to the General Assembly at its sixty-fifth session;

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[2] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 46* (A/62/46), para. 5 and *Official Records of the General Assembly, Sixty-third Session, Supplement No. 46* (A/63/46), para. 11.

[3] A/63/478.

[4] Ibid.

[5] See resolution 63/89, para. 5.

5. *Requests* the Scientific Committee to continue at its next session the review of the important questions in the field of ionizing radiation and to report thereon to the General Assembly at its sixty-fifth session;

6. *Re-emphasizes* the need for the Scientific Committee to hold regular sessions on an annual basis so that its report can reflect the latest developments and findings in the field of ionizing radiation and thereby provide updated information for dissemination among all States;

7. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their cooperation in this field;

8. *Invites* the Scientific Committee to continue its consultations with scientists and experts from interested Member States in the process of preparing its future scientific reports, and requests the Secretariat to facilitate such consultations;

9. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the effects of ionizing radiation in affected areas, and invites the Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

10. *Invites* Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly;

11. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee and for the dissemination of its findings to the General Assembly, the scientific community and the public;

12. *Urges* the United Nations Environment Programme to continue to review and strengthen the funding of the Scientific Committee, pursuant to paragraph 13 of resolution 63/89, and to continue to seek out and consider temporary funding mechanisms to complement existing ones, and, in that context, encourages Member States to consider making voluntary contributions to the general trust fund established by the Executive Director of the United Nations Environment Programme to receive and manage voluntary contributions to support the work of the Committee;

13. *Reminds* the Scientific Committee, as directed in paragraph 17 of resolution 63/89, to continue its reflection on how the current, as well as a potentially revised, membership for the Scientific Committee could best support the essential work of the Committee, including by developing, with the participation of the observer countries, detailed, objective and transparent criteria and indicators to be applied equitably to present and future members alike, and to report its conclusions by the end of June 2010;

14. *Welcomes* the attendance of Belarus, Finland, Pakistan, the Republic of Korea, Spain and Ukraine as observers at the fifty-sixth session of the Scientific Committee, invites each of those States to designate one scientist to attend, as observers, the fifty-seventh session of the Committee, and resolves to take a

decision on the full membership of the Scientific Committee, including of those six countries, once a decision on resource allocation has been made, and after the fifty-seventh session of the Scientific Committee, but no later than the end of the sixty-fourth session of the General Assembly.

United Nations A/C.4/64/L.9

General Assembly

Distr.: Limited
26 October 2009

Original: English

Sixty-fourth session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 28

Assistance in mine action

Andorra, Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Colombia, Croatia, Cuba, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Monaco, Netherlands, New Zealand, Peru, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Assistance in mine action

The General Assembly,

Recalling its resolution 62/99 of 17 December 2007 and all its previous resolutions on assistance in mine clearance and on assistance in mine action, all adopted without a vote,

Recalling also all relevant treaties and conventions[1] and their review processes,

Noting with appreciation the extent to which the International Day for Mine Awareness and Assistance in Mine Action has been commemorated worldwide,

[1] These include the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, 1997; the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, as amended in 1996 (Protocol II to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects); the Protocol on Explosive Remnants of War, 2003 (Protocol V to the 1980 Convention); the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977; and the Convention on the Rights of Persons with Disabilities, 2006.

09-57755 (E) 281009

Please recycle

Reaffirming its deep concern at the tremendous humanitarian and development problems caused by the presence of mines and explosive remnants of war,[2] which have serious and lasting social and economic consequences for the populations of countries affected by them,

Bearing in mind the serious threat that mines and explosive remnants of war pose to the safety, health and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping, rehabilitation and mine-clearance programmes and operations,

Deeply alarmed by the number of mines that continue to be laid each year as well as the presence of a decreasing but still very large number of, and area of square kilometres infested by, mines and explosive remnants of war as a result of armed conflicts, and therefore remaining convinced of the necessity and urgency of strengthening mine-action efforts by the international community with a view to eliminating the threat of landmines and explosive remnants of war to civilians as soon as possible,

Recognizing that, in addition to the primary role of States, the United Nations has a significant role to play in the field of assistance in mine action through the United Nations Mine Action Team,[3] including the United Nations Mine Action Service, and considering mine action to be an important and integrated component of United Nations humanitarian and development activities, as well as noting the integration of mine action in numerous United Nations peacekeeping operations,

Recognizing also the valuable mine-action efforts of national and international mine-action practitioners, including United Nations personnel and peacekeepers, enabling local communities to resume normal lives and reclaim their livelihoods by regaining access to previously contaminated lands,

Stressing the pressing need to urge non-State actors to halt immediately and unconditionally new deployments of mines and other associated explosive devices,

1. *Takes note* of the report of the Secretary-General on assistance in mine action;[4]

2. *Calls*, in particular, for the continuation of the efforts of States, with the assistance of the United Nations and relevant organizations involved in mine action, as appropriate, to foster the establishment and development of national mine-action capacities in countries in which mines and explosive remnants of war constitute a serious threat to the safety, health and lives of the local civilian population or an impediment to social and economic development efforts at the national and local levels;

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[2] As defined by and Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

[3] Consisting of the Department of Peacekeeping Operations, United Nations Mine Action Service, Office for Disarmament Affairs, United Nations Development Programme, United Nations Children's Fund, United Nations Office for Project Services, Food and Agriculture Organization of the United Nations, Office for the Coordination of Humanitarian Affairs, Office of the Special Adviser on Gender Issues and Advancement of Women, Office of the United Nations High Commissioner for Human Rights, Office of the United Nations High Commissioner for Refugees, World Food Programme, World Health Organization and World Bank.

[4] A/64/287.

3. *Urges* all States, in particularly those that have the capacity to do so, as well as the United Nations system and other relevant organizations and institutions involved in mine action, to support mine-affected States and territories, as appropriate, by providing:

(a) Assistance to countries affected by mines and explosive remnants of war for the establishment and development of national mine-action capacities, including where appropriate in the fulfilment of the mine-affected countries' relevant international obligations;

(b) Support for national programmes, where appropriate, in cooperation with the relevant bodies of the United Nations system and relevant regional, governmental and non-governmental organizations, to reduce the risks posed by landmines and explosive remnants of war, taking into consideration the different needs of women, girls, boys and men;

(c) Reliable, predictable and timely contributions for mine-action activities, including through national mine-action efforts and mine-action programmes of non-governmental organizations, including those relating to victim assistance and mine risk education, especially at the local level, as well as through relevant national, regional and global trust funds, including the United Nations Voluntary Trust Fund for Assistance in Mine Action;

(d) Necessary information and technical, financial and material assistance to locate, remove, destroy and otherwise render ineffective minefields, mines, booby traps, other devices and explosive remnants of war, in accordance with international law, as soon as possible;

(e) Technological assistance (i) to countries affected by mines and explosive remnants of war; and (ii) to promote user-oriented scientific research on and development of mine-action techniques and technology that are effective, sustainable, appropriate and environmentally sound;

4. *Encourages* efforts to conduct all mine-action activities in accordance with the International Mine Action Standards (IMAS) or IMAS-compliant national standards, and emphasizes the importance of using an information management system, such as the Information Management System for Mine Action, to help facilitate mine-action activities;

5. *Urges* all mine-affected States, pursuant to applicable international law, to identify all areas, as appropriate, under their jurisdiction or control containing mines and other explosive remnants of war in the most efficient manner possible and to employ land release techniques, including non-technical survey, technical survey and clearance when appropriate;

6. *Encourages* mine-affected States, with support from relevant development partners as appropriate, to proactively mainstream mine action and victim assistance requirements into development plans and processes to ensure that development priorities include mine action and that mine action is predictably funded;

7. *Encourages* all relevant multilateral, regional and national programmes and bodies to include activities related to mine action, including clearance, in their humanitarian, rehabilitation, reconstruction and development assistance activities, where appropriate, bearing in mind the need to ensure national and local ownership,

sustainability and capacity-building, as well as to include a gender and age-appropriate perspective in all aspects of such activities;

8. *Encourages* Member States, as appropriate, and relevant organizations involved in mine action to continue efforts to ensure that mine-action programmes are gender and age sensitive, so that women, girls, boys and men can benefit equally from them, and encourages the participation of all stakeholders in the programming of mine action;

9. *Stresses* the importance of cooperation and coordination in mine action, and emphasizes the primary responsibility of national authorities in that regard, also stresses the supporting role of the United Nations and other relevant organizations in that regard, and underlines the need for a comprehensive and independent evaluation of the scope, organization, effectiveness and approach of the work of the United Nations in mine action;

10. *Recognizes* the importance of explicitly incorporating references to mine action, when appropriate, in ceasefire and peace agreements in light of the potential that mine action can have as a peace and confidence-building measure in post-conflict situations among parties concerned;

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution and on follow-up to previous resolutions on assistance in mine clearance and on assistance in mine action, including on relevant United Nations policies and activities;

12. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Assistance in mine action".

United Nations A/C.4/64/L.9*

General Assembly

Distr.: Limited
29 October 2009

Original: English

Sixty-fourth session
Special Political and Decolonization Committee
(Fourth Committee)
Agenda item 28
Assistance in mine action

Albania, Andorra, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Monaco, Montenegro, Netherlands, New Zealand, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Assistance in mine action

The General Assembly,

Recalling its resolution 62/99 of 17 December 2007 and all its previous resolutions on assistance in mine clearance and on assistance in mine action, all adopted without a vote,

Recalling also all relevant treaties and conventions[1] and their review processes,

Noting with appreciation the extent to which the International Day for Mine Awareness and Assistance in Mine Action has been commemorated worldwide,

* Reissued for technical reasons.

[1] These include the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, 1997; the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, as amended in 1996 (Protocol II to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects); the Protocol on Explosive Remnants of War, 2003 (Protocol V to the 1980 Convention); the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977; and the Convention on the Rights of Persons with Disabilities, 2006.

09-57755* (E) 291009

Please recycle

Reaffirming its deep concern at the tremendous humanitarian and development problems caused by the presence of mines and explosive remnants of war,[2] which have serious and lasting social and economic consequences for the populations of countries affected by them,

Bearing in mind the serious threat that mines and explosive remnants of war pose to the safety, health and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping, rehabilitation and mine-clearance programmes and operations,

Deeply alarmed by the number of mines that continue to be laid each year as well as the presence of a decreasing but still very large number of, and area of square kilometres infested by, mines and explosive remnants of war as a result of armed conflicts, and therefore remaining convinced of the necessity and urgency of strengthening mine-action efforts by the international community with a view to eliminating the threat of landmines and explosive remnants of war to civilians as soon as possible,

Recognizing that, in addition to the primary role of States, the United Nations has a significant role to play in the field of assistance in mine action through the United Nations Mine Action Team,[3] including the United Nations Mine Action Service, and considering mine action to be an important and integrated component of United Nations humanitarian and development activities, as well as noting the integration of mine action in numerous United Nations peacekeeping operations,

Recognizing also the valuable mine-action efforts of national and international mine-action practitioners, including United Nations personnel and peacekeepers, enabling local communities to resume normal lives and reclaim their livelihoods by regaining access to previously contaminated lands,

Stressing the pressing need to urge non-State actors to halt immediately and unconditionally new deployments of mines and other associated explosive devices,

1. *Takes note* of the report of the Secretary-General;[4]

2. *Calls*, in particular, for the continuation of the efforts of States, with the assistance of the United Nations and relevant organizations involved in mine action, as appropriate, to foster the establishment and development of national mine-action capacities in countries in which mines and explosive remnants of war constitute a serious threat to the safety, health and lives of the local civilian population or an impediment to social and economic development efforts at the national and local levels;

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[2] As defined by and Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

[3] Consisting of the Department of Peacekeeping Operations, United Nations Mine Action Service, Office for Disarmament Affairs, United Nations Development Programme, United Nations Children's Fund, United Nations Office for Project Services, Food and Agriculture Organization of the United Nations, Office for the Coordination of Humanitarian Affairs, Office of the Special Adviser on Gender Issues and Advancement of Women, Office of the United Nations High Commissioner for Human Rights, Office of the United Nations High Commissioner for Refugees, World Food Programme, World Health Organization and World Bank.

[4] A/64/287.

3. *Urges* all States, in particularly those that have the capacity to do so, as well as the United Nations system and other relevant organizations and institutions involved in mine action, to support mine-affected States and territories, as appropriate, by providing:

(a) Assistance to countries affected by mines and explosive remnants of war for the establishment and development of national mine-action capacities, including, where appropriate, in the fulfilment of the mine-affected countries' relevant international obligations;

(b) Support for national programmes, where appropriate, in cooperation with the relevant bodies of the United Nations system and relevant regional, governmental and non-governmental organizations, to reduce the risks posed by landmines and explosive remnants of war, taking into consideration the different needs of women, girls, boys and men;

(c) Reliable, predictable and timely contributions for mine-action activities, including through national mine-action efforts and mine-action programmes of non-governmental organizations, including those relating to victim assistance and mine risk education, especially at the local level, as well as through relevant national, regional and global trust funds, including the United Nations Voluntary Trust Fund for Assistance in Mine Action;

(d) Necessary information and technical, financial and material assistance to locate, remove, destroy and otherwise render ineffective minefields, mines, booby traps, other devices and explosive remnants of war, in accordance with international law, as soon as possible;

(e) Technological assistance (i) to countries affected by mines and explosive remnants of war; and (ii) to promote user-oriented scientific research on and development of mine-action techniques and technology that are effective, sustainable, appropriate and environmentally sound;

4. *Encourages* efforts to conduct all mine-action activities in accordance with the International Mine Action Standards (IMAS) or IMAS-compliant national standards, and emphasizes the importance of using an information management system, such as the Information Management System for Mine Action, to help facilitate mine-action activities;

5. *Urges* all mine-affected States, pursuant to applicable international law, to identify all areas, as appropriate, under their jurisdiction or control containing mines and other explosive remnants of war in the most efficient manner possible and to employ land release techniques, including non-technical survey, technical survey and clearance when appropriate;

6. *Encourages* mine-affected States, with support from relevant development partners as appropriate, to proactively mainstream mine action and victim assistance requirements into development plans and processes to ensure that development priorities include mine action and that mine action is predictably funded;

7. *Encourages* all relevant multilateral, regional and national programmes and bodies to include activities related to mine action, including clearance, in their humanitarian, rehabilitation, reconstruction and development assistance activities, where appropriate, bearing in mind the need to ensure national and local ownership,

sustainability and capacity-building, as well as to include a gender and age-appropriate perspective in all aspects of such activities;

8. *Encourages* Member States, as appropriate, and relevant organizations involved in mine action to continue efforts to ensure that mine-action programmes are gender- and age-sensitive, so that women, girls, boys and men can benefit equally from them, and encourages the participation of all stakeholders in the programming of mine action;

9. *Stresses* the importance of cooperation and coordination in mine action, and emphasizes the primary responsibility of national authorities in that regard, also stresses the supporting role of the United Nations and other relevant organizations in that regard, and underlines the need for a comprehensive and independent evaluation of the scope, organization, effectiveness and approach of the work of the United Nations in mine action;

10. *Recognizes* the importance of explicitly incorporating references to mine action, when appropriate, in ceasefire and peace agreements in light of the potential that mine action can have as a peace and confidence-building measure in post-conflict situations among parties concerned;

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution and on follow-up to previous resolutions on assistance in mine clearance and on assistance in mine action, including on relevant United Nations policies and activities;

12. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Assistance in mine action".

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General Assembly

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27 October 2009

Original: English

Sixty-fourth session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 118

Revitalization of the work of the General Assembly

Draft decision submitted by the Bureau

Proposed programme of work and timetable of the Special Political and Decolonization Committee (Fourth Committee) for the sixty-fifth session of the General Assembly

The General Assembly approves the proposed programme of work and timetable of the Special Political and Decolonization Committee (Fourth Committee) for the sixty-fifth session of the General Assembly as follows:

Proposed programme of work and timetable of the Special Political and Decolonization Committee (Fourth Committee) for the sixty-fifth session of the General Assembly

Agenda items	*Dates for consideration*
Organization of work	Thursday, 30 September 2010 — a.m. (1 meeting)
Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations	Monday, 4 October — p.m.
Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories	Tuesday, 5 October — p.m.
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations	Wednesday, 6 October — p.m.
Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories	Thursday, 7 October — p.m.
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	Friday, 8 October — p.m. (5 meetings)

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International cooperation in the peaceful uses of outer space (interactive dialogue followed by a general debate)	Tuesday, 12 October — a.m. Wednesday, 13 October — a.m. Thursday, 14 October — a.m. Friday, 15 October — a.m. (4 meetings)
Questions relating to information (interactive dialogue followed by a general debate)	Tuesday, 19 October — p.m. Wednesday, 20 October — p.m. Thursday, 21 October — p.m. (3 meetings)
Comprehensive review of the whole question of peacekeeping operations in all their aspects (interactive dialogue followed by a general debate)	Friday, 22 October — a.m. Monday, 25 October — a.m. Tuesday, 26 October — a.m. Wednesday, 27 October — a.m. (4 meetings)
Effects of atomic radiation (interactive dialogue followed by a general debate)	Thursday, 28 October — a.m. (1 meeting)
United Nations Relief and Works Agency for Palestine Refugees in the Near East (question and answer period followed by a general debate)	Monday, 1 November — p.m. Tuesday, 2 November — p.m. Wednesday, 3 November — a.m. (3 meetings)
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories	Friday, 5 November — a.m. Monday, 8 November — a.m. Tuesday, 9 November — a.m. (3 meetings)
Revitalization of the work of the General Assembly (draft programme of work for the next session) Programme planning Action on all pending draft resolutions and decisions	Wednesday, 10 November — a.m. (1 meeting)
Total	**25 meetings**

United Nations A/C.4/64/L.11

General Assembly

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13 November 2009

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Sixty-fourth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 31
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 63/91 of 5 December 2008,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that, for more than six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for sixty years since its establishment in ameliorating the plight of the Palestine refugees through the provision of education, health, relief and social services and ongoing work in the areas of camp infrastructure, microfinance, protection and emergency assistance,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2008,[1]

[1] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13).

Please recycle

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,

Expressing grave concern in particular at the critical humanitarian situation and socio-economic conditions of the Palestine refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements[2] on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2010;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the continuing deterioration of the socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. *Commends* the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its provision of vital assistance to the Palestine refugees and its role as a stabilizing factor in the region and the tireless efforts of the staff of the Agency in carrying out its mandate, and welcomes in this regard the high-level event of the General Assembly commemorating the sixtieth anniversary of the establishment of the Agency, on 24 September 2009.

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[2] A/48/486-S/26560, annex.

United Nations A/C.4/64/L.12

General Assembly

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13 November 2009

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Sixty-fourth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 31
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 63/92 of 5 December 2008,[1]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2008,[2]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] with regard to the

[1] A/64/323.
[2] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13).
[3] A/48/486-S/26560, annex.

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modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] on the return of displaced persons has not been complied with, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-fifth session on the progress made with regard to the implementation of the present resolution.

United Nations A/C.4/64/L.13

General Assembly

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13 November 2009

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Sixty-fourth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 31
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 63/93 of 5 December 2008,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2008,[1]

Taking note of the letter dated 10 June 2009 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[2]

Deeply concerned about the critical financial situation of the Agency, as well as about its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

[1] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13 and Add.1).

[2] Ibid., pp. vi and vii.

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Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[3]

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[4]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely, Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the continuing prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread damage and destruction to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and internal displacement of civilians,

Commending the extraordinary efforts by the Agency to provide emergency relief, medical, food, shelter and other humanitarian assistance to needy and displaced families in the Gaza Strip,

Recalling in this regard resolution ES-10/18 of 16 January 2009 and Security Council resolution 1860 (2009) of 8 January 2009,

Expressing regret over the continued suspension of the Agency's efforts to repair and rebuild thousands of damaged or destroyed refugee shelters due to the continued prohibition of the import of essential construction materials into the Gaza Strip by Israel,

Stressing the urgent need for reconstruction to begin in the Gaza Strip, including through the completion of numerous suspended projects managed by the Agency, according to the proposal of the Secretary-General, and the commencement of United Nations-led civilian reconstruction activities,

Welcoming in this regard the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, in March 2009, and urging the disbursement of pledges to accelerate the reconstruction process,

Taking note of the Agency's continuing efforts to assist those refugees affected and displaced by the crisis in the Nahr el-Bared refugee camp in northern Lebanon, and welcoming the efforts of the Government of Lebanon and the international community to support the rebuilding by the Agency of the Nahr el-Bared camp,

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[3] Resolution 22 A (I).

[4] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[5] Ibid., vol. 75, No. 973.

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency's staff and about the damage and destruction caused to the facilities of the Agency, in particular as a result of the military operations in the Gaza Strip during the reporting period,

Deploring the extensive damage and destruction of Agency facilities in the Gaza Strip caused during the military operations between December 2008 and January 2009, including to schools where civilians were sheltered and the Agency's main compound and warehouse, as reported in the summary by the Secretary-General on the report of the Board of Inquiry[6] and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,[7]

Deploring also in this regard the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploring further the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

Deploring the killing and wounding of refugee children in the Agency schools by the Israeli occupying forces,

Expressing deep concern about the gravely negative impact of the continuing prolonged closures and severe restrictions on the movement of persons and goods, which in effect amount to a blockade in the Gaza Strip, and the construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem, on the socio-economic situation of the Palestine refugees,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[8]

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work,

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[6] See A/63/855-S/2009/250.

[7] To be published under the symbol A/HRC/12/48.

[8] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

particularly in the light of the difficult conditions and dangerous circumstances faced during the past year, and, on the occasion of her impending retirement, expresses its appreciation to Commissioner-General Karen AbuZayd for her nine years of dedicated service to the Palestine refugees;

3. *Expresses* special commendation to the Agency on the occasion of the sixtieth anniversary of its establishment;

4. *Expresses its appreciation* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

5. *Takes note with appreciation* of the two reports of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[9] and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

6. *Commends* the Agency's six-year Medium Term Strategy, commencing in January 2010, and the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2010-2011[10] and its comprehensive, three-year organizational development plan;

7. *Requests* the Secretary-General to support the institutional strengthening of the Agency through the provision of sufficient financial resources from the regular budget of the United Nations;

8. *Endorses* the conclusions of the report of the extraordinary meeting of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[11] in particular its request that the Secretary-General provide a report on the strengthening of the management capacity of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to the relevant bodies of the General Assembly at the earliest possible date;

9. *Also endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent crises in the Occupied Palestinian Territory and Lebanon;

10. *Welcomes* the pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-affected Areas of Northern Lebanon, held in Vienna on 23 June 2008, and urges all parties to expedite the reconstruction of the camp to alleviate the ongoing suffering of the displaced persons;

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[9] A/64/115 and A/64/519.

[10] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13A* (A/64/13/Add.1).

[11] A/64/115.

11. *Acknowledges* the important support provided by the host Governments to the Agency in the discharge of its duties;

12. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children and women in its operations in accordance with the Convention on the Rights of the Child[12] and the Convention on the Elimination of All Forms of Discrimination against Women,[13] respectively;

13. *Expresses concern* about the relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

14. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[5]

15. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[3] in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

16. *Urges* the Government of Israel to speedily compensate the Agency for damage and destruction to its property and facilities resulting from actions by the Israeli side, including as a result of the military operations in the Gaza Strip between December 2008 and January 2009, and to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of delays and restrictions on movement and access imposed by Israel;

17. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

18. *Also calls upon* Israel to cease its obstruction of the import of necessary construction materials and supplies for the reconstruction and repair of damaged or destroyed Agency facilities and for the implementation of suspended civilian infrastructure projects in refugee camps in the Gaza Strip;

19. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

20. *Notes with appreciation* the progress made by the Agency in the modernization of its archives through the Palestine Refugee Records Project, and encourages the Commissioner-General to finalize the project as rapidly as possible and to report on the progress made to the General Assembly at its sixty-fifth session;

21. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

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[12] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[13] Ibid., vol. 1249, No. 20378.

22. *Reiterates its appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

23. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, especially with respect to the Agency's regular budget deficit, noting that financial shortfalls have been exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

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Agenda item 31
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 63/94 of 5 December 2008,[1] as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2008 to 31 August 2009,[2]

Recalling that the Universal Declaration of Human Rights[3] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second

[1] A/63/324.
[2] See A/64/174.
[3] Resolution 217 A (III).

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progress report,[4] and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[5] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

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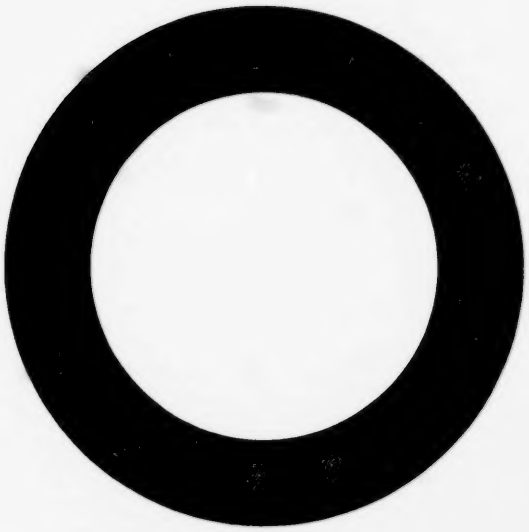
[4] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[5] A/48/486-S/26560, annex.



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Special Political and Decolonization Committee (Fourth Committee)

Agenda item 32

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[1] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[2] and the International Covenants on Human Rights,[3]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 63/95 of 5 December 2008, and the relevant resolutions of the Commission on Human Rights and the Human Rights Council, including the resolution adopted by the Council at its twelfth special session on 16 October 2009,[4]

Recalling also the relevant resolutions of the Security Council,

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

[4] Resolution S-12/1; see *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53 A* (A/64/53/Add.1).

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Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[5] and recalling in this regard General Assembly resolution ES-10/15 of 20 July 2004,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuing detrimental impact of the events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries, the widespread destruction of property and vital infrastructure, the internal displacement of civilians, the imposition of collective punishment measures, particularly against the civilian population in the Gaza Strip, and the detention and imprisonment of thousands of Palestinians,

Gravely concerned in particular by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry[6] and in the report of the United Nations Fact-Finding Mission on the Gaza Conflict,[7] and stressing the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[8] and the relevant reports of the Secretary-General,[9]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[10] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Stressing the urgency of bringing a complete end to the Israeli occupation that began in 1967 and thus an end to the violation of the human rights of the Palestinian people, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;[8]

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[5] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[6] See A/63/855-S/2009/250.

[7] To be issued under the symbol A/HRC/12/48.

[8] See A/64/339.

[9] A/64/332, A/64/340, A/64/516, A/64/517 and A/64/354.

[10] A/48/486-S/26560, annex.

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, particularly in the Gaza Strip, as a result of unlawful Israeli practices and measures, and especially condemns and calls for the immediate cessation of all illegal Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, the destruction and confiscation of properties, measures of collective punishment, and the detention and imprisonment of thousands of civilians;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[1] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of the thousands of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its sixty-fifth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including its resolution 63/96 of 5 December 2008,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to The Hague Convention IV of 1907,[1] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] and relevant provisions of customary law, including those codified in Additional Protocol I,[3] to the four Geneva Conventions,[4]

[1] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).
[2] United Nations, *Treaty Series*, vol. 75, No. 973.
[3] Ibid., vol. 1125, No. 17512.
[4] Ibid., vol. 75, Nos. 970-973.

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Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the relevant reports of the Secretary-General,[6]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[7] and also recalling General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court's reply, including that the Fourth Geneva Convention[2] is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Recalling the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, held on 15 July 1999, as well as the Declaration adopted by the reconvened Conference on 5 December 2001 and the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention, as well as the efforts of the depositary State of the Geneva Conventions in this regard,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions[4] and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,[7] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly at its tenth emergency special session, including resolution ES-10/15, with regard to

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[5] See A/64/339.

[6] A/64/332, A/64/340, A/64/354, A/64/516, A/64/517.

[7] See A/ES-10/273 and Corr.1.

ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 63/97 of 5 December 2008, as well as those resolutions adopted at its tenth emergency special session,

Recalling also relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth

[1] United Nations, *Treaty Series*, vol. 75, No. 973.

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Geneva Convention[1] and relevant provisions of customary law, including those codified in Additional Protocol I[2] to the four Geneva Conventions,[3]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[4] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[5]

Taking note of the recent report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[6]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[7] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[8] and noting specifically its call for a freeze on all settlement activity, including so-called "natural growth", and the dismantlement of all settlement outposts erected since March 2001,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other actions against the Palestinian civilian population that are contrary to international law,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to resume the peace process and to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, and concerned particularly about Israel's construction and expansion of settlements in and around occupied East Jerusalem, including its so-called E-1 plan that aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, and intensifying settlement activities in the Jordan Valley,

Expressing grave concern also about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around

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[2] Ibid., vol. 1125, No. 17512.

[3] Ibid., vol. 75, Nos. 970-973.

[4] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[5] Ibid., advisory opinion, para. 120; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[6] See A/64/328.

[7] A/48/486-S/26560, annex.

[8] S/2003/529, annex.

East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline of socio-economic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory, and could prejudge future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Deploring settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the rising incidents of violence, harassment, provocation and incitement by illegal armed Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians and their properties and agricultural lands,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

Taking note of the relevant reports of the Secretary-General,[9]

Taking note also of the special meeting of the Security Council convened on 26 September 2008,

1. *Reaffirms* that the Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Also calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

4. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of the relevant Security Council resolutions, including resolution 465 (1980);

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[9] A/64/332, A/64/339, A/64/516, A/64/517, A/64/354.

5. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;[4]

6. *Reiterates its call for* the prevention of all acts of violence and harassment by Israeli settlers, especially against Palestinian civilians and their properties and agricultural lands, and stresses the need for the implementation of Security Council resolution 904 (1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

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Agenda item 32

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1]

Recalling also the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[2] and the Convention on the Rights of the Child,[3] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 63/98 of 5 December 2008, as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.

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Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[4] and the report of the Secretary-General,[5]

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[6]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[7] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[8] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[8] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[9]

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

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[4] A/64/339.

[5] A/64/517.

[6] A/HRC/10/20; see also A/64/328.

[7] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[8] United Nations, *Treaty Series*, vol. 75, No. 973.

[9] See S/2003/529, annex.

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and infrastructure, and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned about the military actions that have been carried out since 28 September 2000 and that have led to thousands of deaths among Palestinian civilians, including hundreds of children, and tens of thousands of injuries,

Gravely concerned in particular about the continuing deterioration in the humanitarian and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread destruction and damage to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and the internal displacement of civilians, as well as from the firing of rockets into Israel,

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) and resolution ES-10/18 of 16 January 2009,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry[10] and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,[11] and stressing the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation and on the socio-economic and humanitarian conditions of the Palestinian civilian population,

Expressing deep concern also about the Israeli policy of closures, severe restrictions, and a permit regime that obstruct the freedom of movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and about the consequent violation of the human rights of the Palestinian people and the negative impact on their socio-economic situation, which remains that of a dire humanitarian crisis, particularly in the Gaza Strip,

Concerned in particular about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent

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[10] See A/63/855-S/2009/250.

[11] To be published as A/HRC/12/48.

border crossings inside the Occupied Palestinian Territory, which are severely impairing the territorial contiguity of the Territory and undermining efforts and aid aimed at rehabilitating and developing the Palestinian economy, adversely affecting other aspects of the socio-economic conditions of the Palestinian people,

Expressing deep concern that thousands of Palestinians, including hundreds of children and women, continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and expressing concern about the ill-treatment and harassment of any Palestinian prisoners and all reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties implement the agreements reached, and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[8] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, including the killing and injury of civilians, and that it respect human rights law and comply with its legal obligations in this regard;

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949[8] and cease immediately all measures and actions taken in violation and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which, inter alia, gravely and detrimentally impact the human rights of the Palestinian people;

4. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip in the recent period, which have caused extensive loss of life and vast numbers of injuries, including among children, massive damage and destruction to homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities, and agricultural lands, and internal displacement of civilians;

5. *Expresses grave concern* at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

6. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

7. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

8. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice[7] and as demanded in resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

9. *Reiterates* the need for respect for the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, and to and from the outside world;

10. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and, in this regard, to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005;

11. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socio-economic and humanitarian situation, particularly in the Gaza Strip;

12. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[1]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 63/99 of 5 December 2008,

Having considered the report of the Secretary-General submitted in pursuance of resolution 63/99,[2]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

[1] See A/64/339.

[2] A/64/354.

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Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

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[3] United Nations, *Treaty Series*, vol. 75, No. 973.